

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

In re application of: ) Patent Application  
CONFOEY, RICHARD J. )  
 ) Title: Towable Earth Working  
 ) Apparatus Having  
 ) Adjustable Wheel Height  
 )  
Attorney Docket No.: 4335.00 )  
 )  
 )

**INFORMATION DISCLOSURE STATEMENT**

McLaughlin & McNally  
500 City Centre One  
P.O. Box 507  
Youngstown, Ohio 44501-0507  
September 16, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Applicant's duty of good faith and candor toward the Patent Office, the following material is brought to the attention of the Examiner as possibly being of interest in connection with the above-identified patent application. These references were brought to the attention of Applicant and are being submitted herewith to comply with the Duty of Disclosure. Consideration of the listed documents by Examiner is respectfully requested pursuant to the provisions of MPEP 609. Applicant respectfully requests that a copy of PTO-1449, as considered and initialled by the Examiner, be returned to the undersigned with the next Official Communication.

Applicant, by submitting the listed documents, does not represent the documents to be prior art to this application, and reserves the right, pursuant to 37 C.F.R. Section 1.131 or otherwise, to establish otherwise. Applicant does not represent that all of the listed documents are material to the examination of this application, but has cited same to make it clear beyond all doubt that the Duty of Disclosure has been complied with. Moreover, Applicant does not represent that he has reviewed in detail the enclosed documents. There may be details disclosed in these documents of which Applicant is not aware.

UNITED STATES PATENTS

<u>PATENT NO.</u>	<u>PATENTEE</u>	<u>ISSUE DATE</u>
2,219,159	Flynn et al.	10-22-1940
2,336,124	Phoenix	12-07-1943
2,615,262	Reid, Sr.	10-28-1952
3,097,439	Calkin	07-16-1963
3,548,956	Hochstetler	12-22-1970
3,876,013	Dunn	04-08-1975
3,907,041	Manor	09-23-1975
4,199,225	Macht et al.	10-10-1978
4,388,769	Miskin	06-21-1983
4,411,323	Doss	10-25-1983
4,422,818	Molby	12-27-1983
4,620,381	Plyler et al.	11-04-1986
4,635,730	Larsson	01-13-1987
4,698,150	Wigoda	10-06-1987
4,809,449	Solaja	03-07-1989
4,940,096	Johnson	07-10-1990
4,942,934	Moriarty	07-24-1990
5,127,172	Lund et al.	07-07-1992
5,181,574	Dion	01-26-1993
5,289,880	Barto	03-01-1994
5,392,864	Lindenmuth	02-28-1995
5,697,731	Bonds	12-16-1997
5,701,693	Brocious et al.	12-30-1997
5,775,438	Confoey et al.	07-07-1998
6,032,746	Lowery	03-07-2000

6,347,670

Miskin

02-19-2002

FOREIGN PATENTS

<u>PATENT NO.</u>	<u>COUNTRY</u>	<u>ISSUE DATE</u>
3340470	Germany	05-15-1985

OTHER PRIOR ART

Bobcat Brochures entitled "Attachments for Loaders"; B-1595; (Melroe #6724297).

CONCLUSION

The Examiner is respectfully requested to consider each of the above-discussed references during prosecution of the above-discussed application for patent.

RESPECTFULLY SUBMITTED,  
McLAUGHLIN and McNALLY



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ATTORNEY FOR APPLICANT

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	4335.00
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**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Richard J. Confoey
Art Unit	
Examiner Name	

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2,219,159	10-22-1940	Flynn et al.	
		US-2,336,124	12-07-1943	Phoenix	
		US-2,615,262	10-28-1952	Reid, Sr.	
		US-3,097,439	07-16-1963	Calkin	
		US-3,548,956	12-22-1970	Hochstetler	
		US-3,876,013	04-08-1975	Dunn	
		US-3,907,041	09-23-1975	Manor	
		US-4,199,225	10-10-1978	Macht et al.	
		US-4,388,769	06-21-1983	Miskin	
		US-4,411,323	10-25-1983	Doss	
		US-4,422,818	12-27-1983	Molby	
		US-4,620,381	11-04-1986	Plyler et al.	
		US-4,635,730	01-13-1987	Larsson	
		US-4,698,150	10-06-1987	Wigoda	
		US-4,809,449	03-07-1989	Solaja	
		US-4,940,096	07-10-1990	Johnson	
		US-4,942,934	07-24-1990	Moriarty	
		US-5,127,172	07-07-1992	Lund et al.	
		US-5,181,574	01-26-1993	Dion	
		US-5,289,880	03-01-1994	Barto	
		US-5,392,864	02-28-1995	Lindenmuth	
		US-5,697,731	12-16-1997	Bonds	
		US-5,701,693	12-30-1997	Brocious et al.	
		US-5,775,438	07-07-1998	Confoey et al.	
		US-6,032,746	03-07-2000	Lowery	
		US-6,347,670	02-19-2002	Miskin	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		DE 3340470 A1	05-15-1985			

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	
		Filing Date	
		First Named Inventor	Richard J. Confoey
		Group Art Unit	
		Examiner Name	
Sheet	2	of	2
		Attorney Docket Number	4335.00

#### **OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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